

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

SHARITY MINISTRIES, INC.,¹

Debtor.

Chapter 11 (Subchapter V)

Case No. 21-11001 (JTD)

MOTION TO SHORTEN TIME FOR A HEARING AND LIMIT NOTICE ON THE UNITED STATES TRUSTEE'S MOTION TO REMOVE THE DEBTOR IN POSSESSION, OR ALTERNATIVELY, MOTION TO AUTHORIZE THE SUBCHAPTER V TRUSTEE TO INVESTIGATE THE DEBTOR'S FINANCIAL AFFAIRS

In support of his Motion to Shorten Time for A Hearing and Limit Notice of the U.S. Trustee's Motion To Remove The Debtor In Possession, Or Alternatively, Motion To Authorize The Subchapter V Trustee To Investigate The Debtor's Financial Affairs (the "Motion to Shorten and Limit Notice"), Andrew R. Vara, United States Trustee for Region Three (U.S. Trustee"), through his counsel, states as follows:

1. Concurrently herewith, the U.S. Trustee has filed his Motion Pursuant to 1185(a) of the Code, or alternatively 1183(b)(2) of the Code (the "Motion") at D.I. 68. Relevant here, the Motion asserts that the Debtor has, and continues to take, actions that can adversely affect its Members, thus there is a need for an independent trustee to be appointed or an investigation to be conducted. At the status conference on July 21, 2021, the Debtor announced its plan to stop paying the Members' Share Request and a pivot to a liquidation of the Debtor.

2. There is a second day hearing scheduled for August 5, 2021 at 1:00 p.m. (ET).

3. The U.S. Trustee, to promote judicial economy and ensure that this Court considers the relief requested in the Motion at the earliest opportunity to prevent further harm to the

¹ The last four digits of the Debtor's federal tax identification number is 0344. The Debtor's mailing address is 821 Atlanta Street, Suite 124, Roswell, GA 30075.

Members, therefore, requests that this Court (i) shorten notice of the time period to provide notice of the Motion pursuant to Local Bankruptcy Rule 9006-1(e) and (ii) set a hearing date for the Motion for August 5, 2021 at 1:00 p.m. with an objection deadline of July 29, 2021 at a time that this Court deems appropriate.

4. Pursuant to Local Bankruptcy Rule 9006-1(e), counsel for the U.S. Trustee avers that it notified Debtor's counsel and Subchapter V Trustee about the shortened notice at the status conference. At the status hearing on July 21, 2021, this Court expressed that it would grant the U.S. Trustee request to shorten the notice period if the Motion was filed in the next day or two. The Motion was filed on July 22, 2021.

5. The U.S. Trustee further requests authority to limit service of the Motion to electronic mail, where applicable, to parties listed on the Claims Agent's (BMC) Service List. The Service List includes the Top 20 Creditors, various state regulators, and all parties that have requested notices in this case.

6. Pursuant to Local Bankruptcy Rule 2002-1(f)(i)(e), (g), the Claims Agent in this case is required to serve the Notice of Hearing on the Motion and Motion as part of its duties. In accordance with that rule, the U.S. Trustee requests that service be made by electronic mail to the Members since the U.S. Trustee does not have electronic mail addresses for the Members.

WHEREFORE the U.S. Trustee requests that this court shorten notice of the Motion and limit notice as provided herein. A proposed form of order granting the Motion to Shorten and Limit Notice is attached hereto.

Dated: July 22, 2021
Wilmington, Delaware

Respectfully submitted,

ANDREW R. VARA
United States Trustee

By: /s/ Rosa Sierra

Rosa Sierra, Esq.

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PROPOSED ORDER

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

SHARITY MINISTRIES, INC.,¹

Debtor.

Chapter 11 (Subchapter V)

Case No. 21-11001 (JTD)

**ORDER GRANTING UNITED STATES TRUSTEE'S MOTION TO SHORTEN TIME FOR,
AND LIMIT NOTICE OF, A HEARING ON THE UNITED STATES TRUSTEE'S MOTION
FOR REMOVAL OF DEBTOR IN POSSESSION, OR ALTERNATIVELY, MOTION TO
EXPAND THE DUTIES OF THE SUBCHAPTER V TRUSTEE**

Upon consideration of the U.S. Trustee's Motion to Shorten and Limit Notice, requesting entry of an order providing that the applicable notice period for the *United States Trustee's Motion For Removal Of Debtor In Possession, Or Alternatively, Motion To Expand The Duties Of The Subchapter V Trustee* be shortened pursuant to Local Rule 9006-1(e) and authority to limit notice thereon; and this Court having determined that granting the relief requested in the Motion to Shorten and Limit Notice is appropriate; and it appearing that notice of the Motion to Shorten and Limit Notice has been given under the circumstances, and that no other or further notice need be given; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED AND DECREED that

1. The Motion to Shorten and Limit Notice is granted as set forth therein.

¹ The last four digits of the Debtor's federal tax identification number is 0344. The Debtor's mailing address is 821 Atlanta Street, Suite 124, Roswell, GA 30075.

2. The Debtor's Claims and Noticing Agent is required to serve the Notice of Motion and Motion on electronic mail addresses of the Members pursuant to Local Bankruptcy Rule 2002-1(f)(i)(e), (g).

3. This Court shall retain jurisdiction over any and all matters arising from or related to the interpretation and/or implementation of this Order.